IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 15155 of 2004

Between:

K.Srinivasa Rao, S/o Jaganadharao,
R/o Mangalagiri, Guntur District

..... PETITIONER

AND

1 The Commissioner of Endowments, Government of Andhra Pradesh, at Hyderabad
2 The Executive Officer, Sri Lakshminarasimha Swamy Temple, Mangalagiri, Guntur District
3 P.Nageswara Rao, S/o Rama Rao, R/o Mangalagiri, Guntur District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus by declaring the proceedings issued by the 1st respondent D.Dis.No.D1/49245 of 2003 dated 30-10-2003 as arbitrary, illegal, void ab initio besides contrary to law and violative of Articles 14 and 19(1)(g) of Constitution of India and consequently set aside the same and further may be pleased to direct the 2nd respondent to conduct the auction for granting lease hold rights for selling of Coconut and Pooja Articles and Jaggery water at the uphills of the Sri.Lakshminarasimha Swamy Temple, Mangalagiri, Guntur District.

Counsel for the Petitioner:MR.J.ASHVINI KUMAR
Counsel for the Respondent Nos.1 and 2: GP FOR ENDOWMENTS
Counsel for the Respondent No.3: Smt.N.Indrani

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Petitioner is questioning the action of the respondents in issuing proceedings dated 30th October, 2003 as arbitrary. By the said proceedings, lease period of leasehold rights for selling Coconut and Puja articles and jaggery water on the uphills of the respondent-temple was extended upto 26th September, 2004 instead of 26th August, 2004. Challenge to such an action now when the extended period has already commenced and is likely to come to an end after 27 days is nothing but a futile exercise. There is no mala fide alleged in extending the lease period, in the absence of which, we are not inclined to admit this petition.

Petition dismissed.

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DEVINDER GUPTA, CJ

30-8-2004

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C.V.RAMULU, J

Tvr

To

1 The Commissioner of Endowments, Government of Andhra Pradesh, at Hyderabad
2 The Executive Officer, Sri Lakshminarasimha Swamy Temple, Mangalagiri, Guntur District
3 2 CCs to the Govt. Pleader for Endowments, High Court Buildings,

Hyderabad (OUT).

4 2 CD copies.